
(2011) 02 MAD CK 0153

In the Madras High Court

Case No : Writ Petition No. 23875 of 2010 and M.P. No. 1 of 2010

E. Vijayaraj

APPELLANT

Vs

The Teachers Recruitment Board

RESPONDENT

Date of Decision : 07-02-2011

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2011) 02 MAD CK 0153

Hon'ble Judges : T. Raja, J

Bench : Single Bench

Advocate : R. Margabandhu, for the Appellant; S. Naganathan, Government Advocate for R 1 and R 2, for the Respondent

Final Decision : Dismissed

Judgement

T. Raja, J.—The Petitioner E. Vijayaraj has filed the present writ petition under Article 226 of the Constitution of India seeking a writ of declaration.

2. It is stated that, while allotting the marks to the Petitioner instead of assigning 2 marks for the teaching experience, the Respondents have

wrongly assigned 1 mark though the Petitioner was entitled to receive 2 marks. Similarly inasmuch as the Petitioner registered his name in the

Employment Exchange on 13.8.2007, as on the date of publication of the results i.e., 6.10.2010, he waited for about three years and two months,

for which, he is entitled to 2 marks, but, he was awarded only one mark. Therefore, had the Respondents awarded 2 marks for teaching

experience and 2 marks for the weightage under Employment Exchange seniority, the Petitioner would have been considered for selection. On the

contrary, he was only awarded one mark under each Head and pointing out the

same, Mr. Margabandhu the learned Counsel for the Petitioner

submitted that the Petitioner was unjustly denied the chance of getting selected in the selection process conducted by the Teachers Recruitment

Board for the post of Block Resource Teacher Educator (BRTE).

3. This contention was fairly conceded by the learned Counsel appearing for the Respondents saying that the Petitioner is entitled to receive 2

marks for Teaching experience and Anr. 2 marks for weightage in the employment office, but there was a typing mistake in page No. 14 showing

that the Petitioner was allotted only 1 mark for teaching experience. In fact the Petitioner was rightly allotted 2 marks for teaching experience and

Anr. 2 marks for weightage towards the employment exchange seniority.

4. It is seen that even though the Petitioner has secured 109 marks which falls within the cut-off mark under the G.T. turn, he could not be selected

for the reason that 66 candidates similarly placed with that of the Petitioner also acquired 109 marks and in such a situation, the senior most

candidate with Date of Birth as 10.7.90 came to be selected as last candidate for the Mathematics subject. Unfortunately, the Date of Birth of the

Petitioner is 05.06.1986 and therefore, as he was not the senior most based on Date of Birth, he could not be selected. In the above

circumstances, this Court does not find any merit in the claim of the Petitioner.

5. In this view of the matter, the writ petition is dismissed. No costs. Consequently, M.P. No. 1/2010 is closed.